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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Spaderna et al.

SERIAL NUMBER : 09/735,981

EXAMINER : Not Yet Assigned

FILING DATE : December 13, 2000

ART UNIT : 1653

FOR : POLYPEPTIDES AND NUCLEIC ACIDS ENCODING SAME

BOX MISSING PARTS

Assistant Commissioner for Patents

Washington, D.C. 20231

PRELIMINARY AMENDMENT

Please amend the application as set forth below and consider the following remarks:

*In the Specification:*

Page 9, please replace lines 7-8 with "FIG. 13: intentionally left blank"

Page 19, line 20-21, please replace the last sentence with "The encoded protein [SEQ ID NO:6] is illustrated using the one letter amino acid code in FIG. 16."

Page 21, lines 17, 18, please replace the first sentence with "The novel protein of the invention includes the following proteins: FIG. 8 [SEQ ID NO:4], FIG 16 [SEQ ID NO:6], and FIG. 18 [SEQ ID NO:8]. The invention also includes a mutant or variant protein any of whose residues may be changed from the corresponding residue shown in FIG. 8, FIG. 16, or FIG. 18., ..."

REMARKS

In the Notice to File Missing Parts mailed on May 21, 2001, the PTO noted that Figure 13 was inadvertently omitted from the application. Applicants submit the present preliminary amendment to amend the specification in order to cancel any reference to the omitted figure. Additionally, applicants note that the protein sequence which was contained in FIG. 13, SEQ ID NO:6, is also shown in FIG. 16. Accordingly, applicants have amended the specification to replace reference to SEQ ID NO:6 as being in FIG. 16, rather than FIG. 13. The application, at page 9, line 12, discloses that FIG. 16 illustrates the amino acid sequence in Clustal W format of variant 21659259 EXT2. The application also discloses that the amino acid sequence encoded by variant 21659259 EXT2 is SEQ ID NO:6. See specification at page 9, lines 6-7, page 19, lines

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17-21. Accordingly SEQ ID NO:6 has been disclosed in the originally filed application, even though FIG. 13 was inadvertently omitted.

Applicant believes no fee to be due with this submission. However, the Commissioner if authorized to charge any fee that may be due to the undersigned's account, Deposit Account o. 50-0311, Ref. No. 15966-620 (CURA-120).

Respectfully submitted,

Date: September 21, 2001

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